



Governor
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

9535 EAST DOUBLETREE RANCH ROAD
SCOTTSDALE, ARIZONA 85258-5572
PH (480) 657-7703 | FX (480) 657-7715
www.azdo.gov | doinfo@azdo.gov

Board Members:
David M. Steinway, D.O., Pres.
Stanley J. Grossman, V.P.
Arlene England, D.O.
Jon B. Fiegen
Mary Ann Picardo, D.O.
Scott Steingard, D.O.
F. P. Wedel, D.O.

Executive Director
Jack Confer

**DRAFT MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

Saturday, January 19, 2008

BOARD MEMBERS PRESENT:

President David Steinway, D.O., Vice President Mr. Stanley Grossman, Arlene England, D.O., Mr. Jon Fiegen, Mary Ann Picardo, D.O. and F.P. Wedel, D.O., Scott Steingard, D.O.

STAFF / OTHERS PRESENT:

Jack Confer, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
John O'Hair-Schattenberg, Investigator
Blair C. Driggs, Assistant Attorney General
Kathy Fowkes, Administrative Secretary
Carol Whipple, Certified Court Reporter

1. CALL TO ORDER

The Board President, Dr. David Steinway, called the meeting to order at 7:58 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC

- A. Mr. Grossman welcomed the 3rd year Medical Students – Arizona College of Osteopathic Medicine at Midwestern University and Kirksville College of Osteopathic Medicine at A.T. Stills University
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

David C. Rabinowitz, D.O., addressed the Board regarding licensing status and fees for retired physicians.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

- A. Open Session Minutes November 10, 2007
MOTION: Dr. Wedel moved to ACCEPT the minutes as presented. Dr. Steingard seconded.
VOTE: The motion passed unanimously.

- B. Executive Session Minutes November 10, 2007

MOTION: Dr. Wedel moved to ACCEPT the minutes as presented. Dr. Steingard seconded.
VOTE: The motion passed unanimously.

5. **REVIEW, CONSIDERATION AND POSSIBLE ACTION ON REQUESTS AND MOTIONS TO REVIEW A DECISION PURSUANT TO A.A.C. R4-22-106.**

A. S. Foster Easley, D.O. Case No. 3888 License No. 3212

Dr. Easley was present and sworn in.

The Board recessed for Executive Session at 8:03 a.m.
The Board returned to Open Session at 8:07 a.m.

Tabled due to lack of legal representation for the Board by the Solicitor Attorney General's office.

6. **REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

A. Ajaz Rahaman, D.O. Case No. 3860 License No. 3434

Respondent was not present.

MOTION: Dr. England moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

B. Hesham Sahawneh, D.O. Case No. 3752 License No. 3194

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Steingard moved for **DISMISSAL**. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X

NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

C. Patrick Gallus, D.O. Case No. 3791AM License No. 3273

Dr. Gallus was present with Counsel Jay Fradkin, Esq., and answered all questions posed by the Board.

MOTION: Dr. England moved for **DISMISSAL**. Mr. Fiegen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

D. John Hortareas, D.O. Case No. 3791BM License No. 3253

Dr. Hortareas was present with Counsel Stephen W. Myers. Respondent and Counsel answered all questions posed by the Board.

MOTION: Dr. Wedel moved for an **INVESTIGATIVE HEARING**. Mr. Grossman seconded.

VOTE: The motion carried 4-3, with Dr. England, Dr. Steingard and Dr. Steinway voting Nay.

E. Darrin Scherer, D.O. Case No. 3824 License No. 3515

Respondent was not present.

MOTION: Dr. Steingard moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X	X	X	X	X		X
NO	1						X	
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 6-1 with Dr. Wedel voting Nay.

F. Sepein Chiang, D.O.

Case No. 3828

License No. 3880

Respondent was not present.

MOTION: Dr. Steinway moved for **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

G. Jose Gochoco, D.O.

Case No. 3897M

License No. 1715

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Steinway moved for **DISMISSAL**. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

H. Arash Araghi, D.O.

Case No. 3903

License No. 3888

Respondent and Counsel Stephen Myers, Esq. were present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X

NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

I. Lynn Sweet, D.O. Case No. 3909 License No. 3246

Respondent was not present.

MOTION: Dr. Steingard moved for **DISMISSAL**. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

J. E. Griffin Cipolla, D.O. Case No. 3923 License No. 2811

Respondent was not present.

MOTION: Dr. Steingard moved for **DISMISSAL**. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

K. John Croushore, D.O. Case No. 3939 License No. 1899

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Steinway moved for **DISMISSAL**. Mr. Fiegen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

L. Michael Reitz, D.O. Case No. 3956 License No. 3414

Respondent was not present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X		X	X	X	X	X
NO	1		X					
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 6-1, with Mr. Grossman voting Nay.

M. Brent Gear, D.O. Case No. 3783M License No. 3314

Dr. Gear was present and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for a **LETTER OF CONCERN** for delay in diagnosis, and A.R.S. 32-1854(6) and (38). Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0

N. Joseph Alia, D.O. Case No. 3952 License No. 3264

Respondent was not present.

MOTION: Dr. Steinway moved for **DISMISSAL**. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

O. Mark Greenfield, D.O. Case No. 3969 License No. 2827

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Picardo moved for **DISMISSAL**. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

P. Andrew Cortez, D.O. Case No. 3841 License No. 4200

Respondent was present with Counsel Stephen Myers, Esq. and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							

ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

Q. Garo Harmanian, D.O. Case No. 3853 License No. 3867

Respondent was not present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

R. Cynthia Barry, D.O. Case No. 3806 License No. 2752

Respondent was present with Counsel Jay Fradkin, Esq., and answered all questions posed by the Board.

FIRST MOTION: Mr. Grossman moved for an Investigative Hearing. Staff presented new information which was provided to the Board yesterday. Mr. Grossman withdrew the motion.

SECOND MOTION: Dr. England moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	5	X	X	X		X		X
NO	2				X		X	
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 5-2, with Dr. Wedel and Mr. Fiegen voting Nay.

S. Donald Kwasman, D.O. Case No. 3700M License No. 1711

Melinda C. Bechtel, Esq. was present as representative of respondent. Respondent was not present. Ms. Bechtel answered all questions posed by the Board.

MOTION: Dr. Wedel moved for a **LETTER OF CONCERN** for incomplete medical records regarding prescribing practices, and with additional 20 hours **CONTINUING MEDICAL EDUCATION** in the area of

topical anesthetics, with the Executive Director to approve the course, and to be completed within 6 months from date of issuance.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X	X	X	X		X	X
NO	1					X		
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 6-1, with Dr. Picardo voting Nay.

T. John York, D.O. Case No. 3887M License No. 3893

Respondent was not present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

U. Ronald Servi, D.O. Case No. 3865 License No. 2243

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Picardo moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

V. Harry Sirounian, D.O.

Case No. 3893

License No. 3040

Respondent was not present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

W. Ivan Filner, D.O.

Case No. 3823

License No. 3383

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Steingard moved for **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

X. Erol LeBlanc, D.O.

Case No. 3901

License No. 3452

Respondent was present and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for a **LETTER OF CONCERN** for violation of A.R.S. §32-1854(30): Signing a blank, undated or predated prescription form. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X

NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

Y. John Lees, D.O. Case No. 3941 License No. 1942

Respondent was not present.

MOTION: Dr. Wedel moved for **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

Z. Stephen Bair, D.O. Case No. 3930 License No. 1369

MOTION: Dr. Steingard moved for an **INVESTIGATIVE HEARING**. Dr. Wedel seconded.

VOTE: The motion carried 7-0.

AA. Jeffrey Northup, D.O. Case No. 3944 License No. 1447

Respondent was present.

MOTION: Dr. England moved for **DISMISSAL**. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

BB. Kenneth Locke, D.O. Case No. 3966 License No. 3072

Respondent was present.

MOTION: Dr. Steingard moved to **administratively close** this case. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

CC. Charles Clinch, D.O.

Case No. 3974

License No. 1901

The Deputy Directory summarized the case for the Board. Respondent was present with Counsel, Stephen Myers, Esq., and answered all questions posed by the Board. Complainant was present and answered all questions posed by the Board.

Removed to Executive Session: 9:25 a.m.

Return to Open Session: 9:37 a.m.

MOTION: Dr. Wedel moved for a **DISMISSAL WITHOUT PREJUDICE**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	5	X	X			X	X	X
NO	2			X	X			
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 5-2 with Mr. Fiegen and Dr. England voting Nay.

DD. Charles Clinch, D.O.

Case No. 3980

License No. 1901

The Deputy Director summarized the case for the Board. Respondent was present with Counsel, Stephen Myers, Esq., and answered all questions posed by the Board.

MOTION: Dr. Picardo moved for a **DISMISSAL WITHOUT PREJUDICE**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X	X		X	X	X	X

NO	1			X				
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 6-1, with Dr. England voting Nay.

Recessed for 10 Minutes: 10:23 a.m.

Returned to Open Session: 10:33 a.m.

7. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03 (A) (3).

A. POSTPONED

8. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. 32-1855 (E) AND (I)

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03 (A) (3).

A. Harry Gale, D.O. Case No. 3601M License No. 2772

Respondent was not present. Case was tabled until the next meeting.

B. Michael Dubets, D.O. Case Nos. 3343 & 3957 License No. 2589

Dr. Dubets was not present. Executive Director summarized the compliance concerns.

MOTION: Due to Respondent appearing to be an immediate threat to himself and the public, Dr. England moved for a **SUMMARY SUSPENSION** and a formal hearing with adjudication through an administrative judge. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

C. Paul Blumberg, D.O. Case Nos. 3492, 3508, License No. 1597
3529, 3739M, 3748, 3799,
& 3861

The Executive Director summarized the compliance issues regarding the Respondent's probation order. Respondent was present, sworn in, and answered all questions posed by the Board. Thomas Marlowe, Esq. & Thomas Connolly, Esq. were present as Counsel for the Respondent. Counsel addressed the Board and answered all questions posed by the Board.

The intent of the Board order currently in effect was discussed, and amendments considered.

MOTION: Dr. Steinway moved to amend Board order to include 15 additional supervised surgeries, for which supervising physicians are to be Board Certified Plastic or Board Certified Cosmetic Surgeons or Board Eligible Plastic or Board Eligible Cosmetic Surgeons to be pre-approved by Executive Director at least 10 days before any scheduled surgery. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

Mini-residency compliance was discussed, and requested course approved by the Board.

9. REVIEW, CONSIDERATION AND POSSIBLE VOTE ON CONSENT AGREEMENT

A. Mark Griswold, D.O. Case No. 3928 License No. 2799

Respondent was present with Counsel, James W. Stuehringer, Esq., and answered all questions posed by the Board.

MOTION: Dr. Wedel moved to accept proposed **Consent Agreement**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: Consent Agreement was accepted 7-0.

10. **REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

A. J. Carvel Jackson, D.O. Case No. 3705 License No. 2543

Dr. Jackson was present and sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. Jackson answered all questions posed by the Board.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

B. Harry Watters, D.O. Case No. 3896 License No. 1927

Dr. Watters was present and sworn in. The complainant was present and sworn in. The Medical Consultant summarized the case. During discussion of the case Dr. Watters and the complainant addressed the board, and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

C. Larry Stalsonburg, D.O. Case No. 3810 License No. 3112

Dr. England recused herself from this case prior to discussion by the Board.

Dr. Stalsonburg was present and sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. Stalsonburg answered all questions posed by the Board.

MOTION: Dr. Wedel moved for a **LETTER OF CONCERN** for failure to document a pelvic exam. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	5		X		X	X	X	X
NO	1	X						
ABSTAIN	1			X				
ABSENT	0							

VOTE: The motion carried 5-1 with Dr. Steinway voting Nay.

D. Philip Bain, D.O. Case No. 3691 License No. 2302

Dr. Wedel recused himself prior to the Board's discussion of the case.

Dr. Bain was present and sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. Bain answered all questions posed by the Board.

MOTION: Dr. England moved for a **LETTER OF CONCERN** for misinterpretation of a mammogram, and violation of A.R.S. §38-1854(6) & (38). Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X	X	X	X	X		X
NO	0							
ABSTAIN	1						X	
ABSENT	0							

VOTE: The motion carried 6-0.

E. Robin MacDougall, D.O. Case No. 3720 License No. 2830

Dr. MacDougall was present and sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. MacDougall answered all questions posed by the Board. The complainant was present, sworn in, and addressed the Board.

MOTION: Dr. Steinway moved to table this case until after Respondent undergoes a Neuro-Psychological Evaluation. Mr. Grossman seconded.

Board recessed to Executive Session at 12:06 p.m.
Board returned to Open Session at 12:10 p.m.

First Motion was withdrawn.

SECOND MOTION: Dr. Wedel moved for a **LETTER OF CONCERN** for false and/or misleading advertising. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion passed 7-0.

Board directed staff to refer advertisement to the Attorney General's office.

F. Brent Gear, D.O. Case No. 3883M License No. 3314

Dr. Gear was present and sworn in. The Medical Consultant summarized the case. Dr. Gear addressed the Board and answered all questions posed by the Board.

MOTION: Dr. Wedel motioned for a **DECREE OF CENSURE** for inadequate E.R. care, exam and treatment, with 20 hours **CONTINUING MEDICAL EDUCATION** in the area of treatment and resuscitation of a febrile patient in ER. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

G. Jeffrey Amato, D.O. Case No. 3771 License No. 3747

Dr. Amato was present and sworn in. Complainant was present and sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. Amato answered all questions posed by the Board.

MOTION: Dr. Steingard moved for a **LETTER OF CONCERN** for violation of A.R.S. §32-1854(6) & (38), in that Dr. Amato performed a suboptimal physical exam and failed to initiate appropriate treatment in a timely fashion; with additional 20 hours **CONTINUING MEDICAL EDUCATION** in the area of treatment and diagnosis of extremity trauma lesions. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	6	X	X	X		X	X	X
NO	1				X			
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 6-1 with Mr. Fiegen voting Nay.

Board recessed for Lunch 12:45 p.m.
Returned to Open Session 1:21 p.m.

H. Christopher Labban, D.O. Case No. 3916 License No. 2831

Dr. Labban was present and sworn in. The Medical Consultant summarized the case. The complainant was present and sworn in. The Board discussed the case and Dr. Labban answered all questions posed by the Board.

MOTION: Dr. Steingard moved for a **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 7-0.

I. POSTPONED

J. POSTPONED

K. Patrick Marsh, D.O. Case No. 3764 License No. 2502

Dr. Marsh was present with counsel, Peter Akmajian, Esq. Dr. Marsh was sworn in. The Medical Consultant summarized the case. The Board discussed the case and Dr. Marsh answered all questions posed by the Board.

FIRST MOTION: Dr. Steingard motioned to table the case so as not to prejudice the pending civil case. The motion was not seconded.

SECOND MOTION: Dr. England moved for Dismissal. Dr. Picardo seconded.

VOTE: The motion failed 5-2 with Mr. Fiegen, Dr. Steingard, Mr. Grossman, Dr. Wedel, and Dr. Steinway voting Nay.

THIRD MOTION: Dr. Steingard moved for a **LETTER OF CONCERN** for failure to do appropriate studies prior to initiating medication, and inadequate record keeping, with an additional 20 hrs **CONTINUING MEDICAL EDUCATION** in the area of record keeping. Mr. Fiegen seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	5	X	X		X		X	X
NO	2			X		X		
ABSTAIN	0							
ABSENT	0							

VOTE: The motion carried 5-2 with Dr. England and Dr. Picardo voting Nay.

11. **ANNUAL BUSINESS:**

A. ELECTION OF OFFICERS PURSUANT TO A.R.S. § 32-1802(B):

1. President
2. Vice-President

MOTION: Dr. Wedel nominated Dr. Steinway to continue as President and Mr. Grossman to continue as Vice President. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

VOTE: Motion carried 7-0.

B. DISCUSSION AND ACTION ON ESTABLISHMENT OF FEES PURSUANT TO A.R.S. § 32-1826(A)

No changes were made regarding fees.

12. **EXECUTIVE DIRECTOR REPORT:**

- A. 2007 Equal Employment Opportunity Report & 2008 Hiring Policy
- B. Department of Health Services, SHB 1078 Infectious Diseases; Expedited Therapy
- C. 2008 Budget & Strategic Plan
- D. 2008 Legislation

- E. Budget
- F. Discussion & Vote on Legislative Sunrise for Surgical Assistants

FIRST MOTION: Dr. Steingard moved that the Board support the legislative bill. Mr. Grossman seconded.

VOTE: The motion failed 3-4.

The Board further discussed the issue.

SECOND MOTION: Dr. England moved to support the legislative bill. Dr. Steinway seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. England	Mr. Fiegen	Dr. Picardo	Dr. Wedel	Dr. Steingard
YES	4	X	X	X				X
NO	3				X	X	X	
ABSTAIN	0							
ABSENT	0							

VOTE: The motion passed 4-3.

- G. Discussion regarding Board Members receiving CME credit for the study involved in serving on the Board.

13. CORRESPONDENCE WITH THE BOARD:

- A. Letter from Gordon Lewis, Attorney re John Wadleigh, DO/Case No. 3925
Request for a review of previous Letter of Concern.

Executive Session called at 2:52 pm.
Return to Open Session at 3:00 pm.

The AAG answered questions posed by the Board. Gordon Lewis, Esq., and Dr. Wadleigh were present and addressed the Board. The Board took no action.

14. ADJOURNMENT

Dated this ____ day of _____, 2008.

Jack Confer, Executive Director